

**CALENDAR ITEM
C40**

A	21	12/17/14
S	12	W 26544 N. Lavoie

GENERAL LEASE – PUBLIC AGENCY USE

APPLICANT:

Merced Irrigation District

AREA, LAND TYPE, AND LOCATION:

Two parcels of sovereign land located in the Merced River; one parcel near Shaffer Bridge and adjacent to Assessor Parcel Numbers 042-140-005 and 042-140-033, and the other parcel near the Crocker Huffman Diversion Dam and adjacent to Assessor Parcel Number 043-060-014, Merced County.

AUTHORIZED USE:

Use and maintenance of two existing water gauge stations not previously authorized by the Commission.

LEASE TERM:

15 years, beginning December 17, 2014.

CONSIDERATION:

Public use and benefit, with the State reserving the right at any time to set a monetary rent if the Commission finds such action to be in the State's best interests.

OTHER PERTINENT INFORMATION:

1. The Applicant has the right to use the upland adjoining the lease premises.
2. The existing water gauge stations were constructed at these locations without prior Commission authorization. One gauge station is attached to Shaffer Bridge, which is authorized under Lease No. PRC 8365.9 to Merced County. The Applicant is now applying for a General Lease – Public Agency Use.
3. The water gauge stations provide valuable flow data necessary for the Merced Irrigation District to meet its in-stream flow requirements. In

CALENDAR ITEM NO. **C40** (CONT'D)

addition, Merced Irrigation District recently placed these stations online, at the California Department of Water Resources' "California Data Exchange Center" (CDEC). The CDEC website has various stream gauge information from rivers and streams throughout the State. These data are available free of cost to the general public.

4. The staff recommends that the Commission find that this activity is exempt from the requirements of the California Environmental Quality Act (CEQA) as a categorically exempt project. The project is exempt under Class 1, Existing Facilities; California Code of Regulations, Title 2, section 2905, subdivision (a)(2).

Authority: Public Resources Code section 21084 and California Code of Regulations, Title 14, section 15300 and California Code of Regulations, Title 2, section 2905.

5. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code section 6370 et seq., but such activity will not affect those significant lands. Based upon the staff's consultation with the persons nominating such lands and through the CEQA review process, it is the staff's opinion that the project, as proposed, is consistent with its use classification.

EXHIBITS:

- A. Land Description
- B. Site and Location Map

RECOMMENDED ACTION:

It is recommended that the Commission:

CEQA FINDING:

Find that the activity is exempt from the requirements of CEQA pursuant to California Code of Regulations, Title 14, section 15061 as a categorically exempt project, Class 1, Existing Facilities; California Code of Regulations, Title 2, section 2905, subdivision (a)(2).

SIGNIFICANT LANDS INVENTORY FINDING:

Find that this activity is consistent with the use classification designated by the Commission for the land pursuant to Public Resources Code section 6370 et seq.

CALENDAR ITEM NO. **C40** (CONT'D)

AUTHORIZATION:

Authorize issuance of a General Lease – Public Agency Use to the Merced Irrigation District, beginning December 17, 2014, for a term of 15 years, for the use and maintenance of two existing water gauge stations not previously authorized by the Commission, as described in Exhibit A and shown on Exhibit B (for reference purposes only) attached and by this reference made a part hereof; consideration to be the public use and benefit, with the State reserving the right, at any time, to set a monetary rent as specified in the lease if the Commission finds such action to be in the State's best interests.

EXHIBIT A

W 26544

LAND DESCRIPTION

Two parcels of sovereign land situate in the bed of the Merced River, County of Merced, State of California and more particularly described as follows:

PARCEL 1 (Gauge Station near Shaffer Bridge)

A circular parcel of land having a twelve (12) foot radius lying adjacent to the southwest side of the Old Shaffer Bridge, the center of which bears North 64° 34' 15" West approximately 216.14 feet from the 1 inch O.D.I.P. on the southwesterly boundary of the abandoned railroad as shown on that map titled "Amended Record of Survey for Merced County Department of Public Works" filed on June 3, 2005, in Volume 43 of Surveys at Page 5, Merced County Records.

PARCEL 2 (Gauge Station near Crocker Huffman Diversion Dam)

A 24 foot wide strip of land lying 7 feet easterly and 17 feet westerly from the following described line:

BEGINNING at a point having CCS83, Zone 3, coordinates of Northing (y) = 2011186.41 feet, Easting (x) = 6596417.85 feet, said point also bears South 36° 54' 34" West approximately 42173.91 feet from NGS monument "WEBB" (PID HS4550); thence South 07° 34' 41" East approximately 55.00 feet to the TERMINUS of said line.

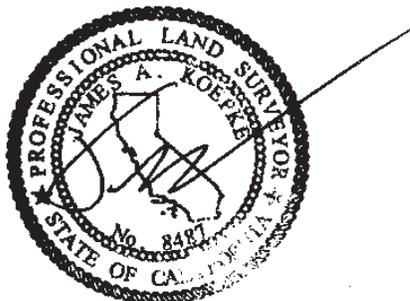
The sidelines of said strip to be lengthened or shortened as to terminate at lines perpendicular to said beginning and terminus of said line.

EXCEPTING THEREFROM any portion lying landward of the low water mark of said Merced River.

END OF DESCRIPTION

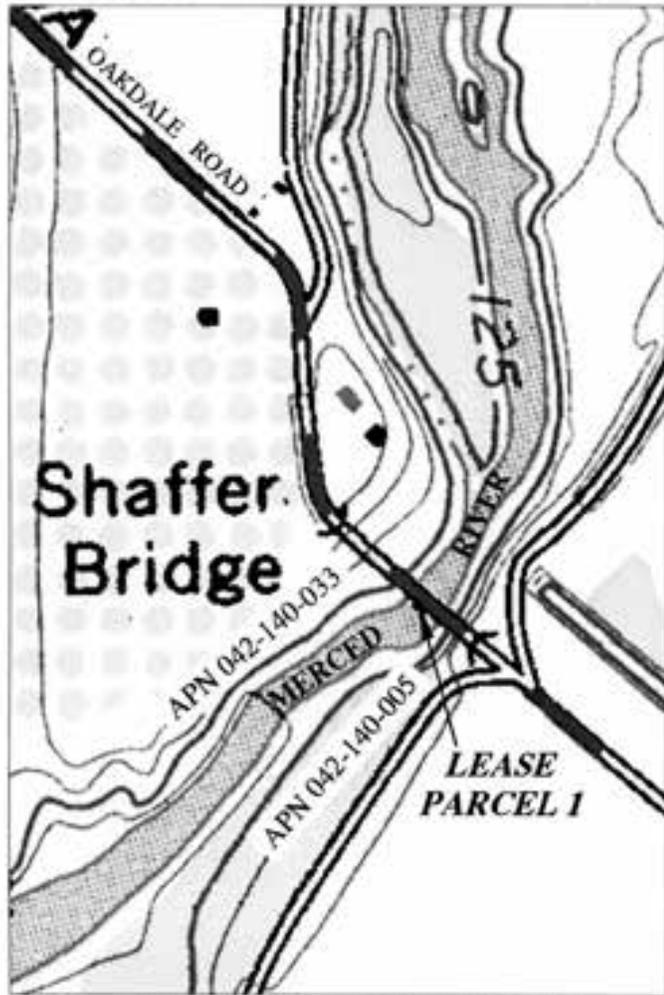
The CCS83, Zone 3 coordinates was provided by the Merced Irrigation District.

Prepared 09/24/14 by the California State Lands Commission Boundary Unit

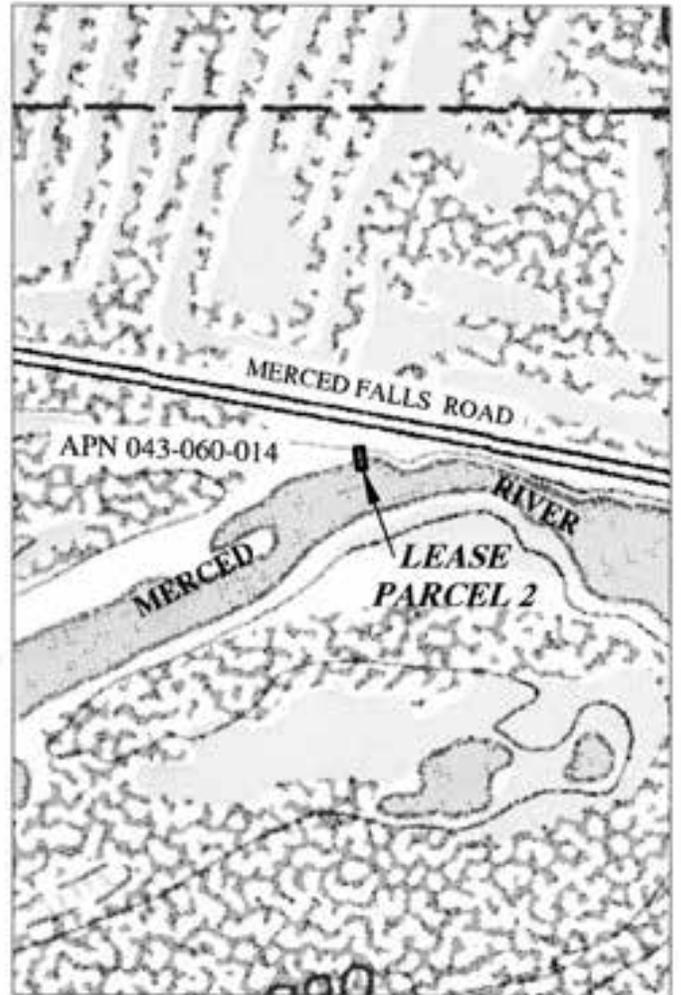


NO SCALE

SITE



NEAR SHAFFER BRIDGE
AT RM 32.8



NEAR CROCKER HUFFMAN
DIVERSION DAM AT RM 51.4

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

Exhibit B

W 26544
 MERCED IRRIGATION DISTRICT
 APNs 042-140-005; 042-140-033;
 043-060-014
 GENERAL LEASE -
 PUBLIC AGENCY USE
 MERCED COUNTY



This Exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by the Lessee or other parties and is not intended to be, nor shall it be construed as, a waiver or limitation of any State interest in the subject or any other property.